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Division

08 Fraud and related offences

Australian and New Zealand Standard Offence Classification (ANZSOC)

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Description

Fraud involves the intentional use of deception or dishonesty to obtain a benefit or avoid a disbenefit. This may include a financial gain, personal benefit, or unlawfully gaining access to data, information, places, or opportunities.

Where offence types cannot be disaggregated to the groups or subdivisions, code to 0800 Fraud and related offences, not further defined.

Subdivision

081 Obtain benefit by deception

Description

This subdivision includes intentional use of deception or impersonation to obtain money, property, goods, services, or other benefits, or to avoid a disbenefit. The victim may be a person, business, group, or government agency. There may be multiple victims or no specific victim.

0811 Identity theft

Identity theft includes fraudulently using a person's identity or components of another person's identity for personal gain.

Inclusions:

- Credit card or debit card fraud, including use of stolen cards
- Forgery involving the assumption of another person's identity, except passport or visa forgery
- Use cloned numberplate
- Other identity theft

Exclusions:

- Forgery of a passport or visa, or use of a false passport or visa – coded to 1519 Offences against national security, nec
- Use a fake ID with consent, or where the person on the ID is fictitious – coded to 0819 Obtain benefit by deception, nec
- Use of personal data that does not involve claiming to be another person – coded to 0841 Privacy offences

0812 Online scams

This group includes offences committed by individuals or businesses that use online deception for financial gain. This excludes fraudulent trade practices, such as a retail chain that uses bait advertising on their website, and also excludes extortion.

The scam may be via a website, email, text message, phone call, social media, apps, or other communication technologies. In many cases of online scams, the identity of the scammer will be unknown to the victim – compared to fraudulent trade practices, where maintaining anonymity is not a core part of the offence.

Inclusions:

- Dating and romance scams
- Money exchange scams
- Online charity scams
- Overpayment scams
- Pharming or phishing scams
- Other online scams, excluding extortion or fraudulent trade practices

Exclusions:

- Breach legislation related to unsolicited "spam" messages – coded to 0841 Privacy offences

- Deceptive trade practices that are not online scams – coded to 0821 Fraudulent trade practices
- Online blackmail including “sextortion” of an adult – coded to 0520 Blackmail or other extortion
- Online extortion including use of ransomware – coded to 0520 Blackmail or other extortion
- Theft of data or information through hacking – coded to 0841 Privacy offences
- Use of malware without intent for financial gain – coded to 0842 Unlawful harm to a digital system

0813 Tax offences

Tax offences include unlawful acts to avoid paying tax or to obtain a benefit from a government tax office.

Inclusions:

- Customs or tax excise offences
- Provide false or misleading information to a government tax office
- Other tax offences

Exclusions:

- Fail to make a payment to a local council – coded to 1729 Local offences, nec

0814 Social services offences

Social services offences involve the provision of misinformation to government for the purpose of obtaining a benefit or avoid a disbenefit. Social services includes any support provided directly by any level of government. This may include payments, subsidies, healthcare, disability support, housing, or access to other government services.

Where it is not possible to disaggregate social services fraud offences from other acts to obtain benefit by deception, code to 0810 Obtain benefit by deception not further defined.

Inclusions:

- Create, supply, or use a forged document with the intent to obtain social services benefit from government
- Deception by a person or organisation to obtain a social services benefit from government
- Provide false or misleading information to a government agency to gain a social services benefit or avoid disbenefit
- Other social services offences

Exclusions:

- Tax fraud – coded to 0813 Tax offences

0815 Counterfeiting of currency

Counterfeiting of currency involves the creation, intentional use or intentional possession of counterfeited coins or notes.

Inclusions:

- Counterfeiting of coins or notes, including foreign currency
- Create or possess software designed to enable forgery
- Import or export of counterfeit currency
- Possess tools or machinery used for the manufacture of currency
- Other offences relating to counterfeiting of currency

Exclusions:

- Fraud involving conversion of currency – coded to 0819 Obtain benefit by deception, nec
- Manufacture or sell counterfeit goods – coded to 0821 Fraudulent trade practices

0819 Obtain benefit by deception, nec

This group includes other intentional use of deception to gain a benefit, or avoid a disbenefit, not elsewhere classified. The victim may be a person, an organisation, or the community. This group excludes commercial business practices that involve deception of customers or clients, but may include offences by groups or organisations against government, such as grants fraud.

Inclusions:

- Drive using a fake licence
- False bidding or intentional disruption at a property auction
- Grants fraud
- Insurance fraud
- Obtain credit by use of deception or fraud

- Other provision of false or deceptive information to a private organisation
- Use of forgery or deception to obtain prescription drugs
- Use of stolen or forged deeds or bill of ownership or sale
- Other use of deception to obtain a benefit, not elsewhere classified, excluding deceptive business practices

Exclusions:

- Create or use a fake licence for a weapon – coded to 1042 Unlawfully obtain or possess regulated weapons or explosives
- Deceive or mislead business customers or clients – coded to 0821 Fraudulent trade practices
- Electoral fraud – coded to 1523 Voting or electoral offences
- Hacking offences – coded to relevant groups in 084 Unlawful access to information or systems
- Misuse of a position of authority for private gain – coded to 0839 Corruption, nec
- Misuse of personal data – coded to 0841 Privacy offences
- Passport or visa fraud – coded to 1519 Offences against national security, nec
- Provide false information to government without personal gain – coded to 1529 Offences against government services, nec
- Use of fraud to threaten national security – coded to 1519 Offences against national security, nec
- Use of threats for financial gain, whether or not deception is involved – coded to 0520 Blackmail or other extortion

Subdivision

082 Deceptive business practices

Description

Deceptive business practices are deceitful or dishonest words or actions as part of a trade or commercial business activity, with the intent to avoid liability or obtain an advantage, whether financial or otherwise.

0821 Fraudulent trade practices

Fraudulent trade practices are actions undertaken as part of trade or commercial activity that are intended to deceive consumers, stakeholders, or other interested parties.

Inclusions:

- Bait or false advertising, such as underquoting
- Breach trade practice legislation that constitutes a fraud offence
- Charge for goods or services that are not provided
- Deceptive business conduct
- False trading or fraudulent trade
- Insider trading
- Manipulate markets or financial benchmarks
- Manufacture or sell fake or counterfeit goods
- Unlawful use, sale, or promotion of illegal or untested health remedies
- Other fraudulent trade practices

Exclusions:

- Advertisements falsely claiming a professional status – coded to 0822 Misrepresentation of professional status
- Dishonest trade practices that are not fraudulent – coded to 0829 Deceptive business practices, nec
- Embezzlement of money or other assets – coded to 0823 Embezzlement
- Financial management offences that do not involve fraud – coded to 1712 Financial management or corporate governance offences

0822 Misrepresentation of professional status

These offences are acts intended to deceive others into a mistaken belief that a person belongs to a particular profession, trade, rank, or status.

Inclusions:

- Advertisements falsely claiming a professional status
- Practice a trade or profession without a licence or without registration
- Use of a forged contract, document, or certificate to misrepresent professional status
- Other misrepresentation of professional status

Exclusions:

- False advertising – coded to 0821 Fraudulent trade practices

- Impersonating a police officer or justice official – coded to 1519 Offences against national security, nec

0823 Embezzlement

Embezzlement includes the theft or misappropriation of money or other assets placed in a person's trust or belonging to their employer.

Inclusions:

- Embezzle money or property
- Financial misappropriation
- Theft or misappropriation of estate assets by the executor of a will
- Use fraud for gain by a person in a position of trust, such as an accountant, agent, collector, business partner, employee, or council member
- Other embezzlement

Exclusions:

- Misuse of power that does not involve embezzlement or bribery – coded to 0839 Corruption, nec
- Rent-to-steal or other conversion offences – coded to the relevant groups in 07 Theft

0829 Deceptive business practices, nec

This group includes deceptive business practices intended to obtain financial gain or advantage through dishonest or unscrupulous means that are not elsewhere classified. This includes cartel offences and anti-competition offences that are not fraudulent.

Inclusions:

- Bankruptcy fraud
- Cartel business practices, such as price-fixing or bid-rigging
- Provide dishonest information about use of personal data
- Selective supply or non-supply of a product by a manufacturer or wholesaler to competing business entities
- Solicit or accept a 'gazumping' offer
- Other deceptive business practices not elsewhere classified

Exclusions:

- Bait advertising, false advertising, or other fraudulent trade practices – coded to 0821 Fraudulent trade practices
- Misuse of position of power in business or government – coded to 0839 Corruption, nec

Subdivision

083 Corruption

Description

Within this subdivision, corruption refers to the abuse of entrusted power for private gain, excluding those offences classified elsewhere (such as embezzlement). The person in the position of entrusted power may or may not be a public official.

For bribery, where it is unknown whether a government official was involved code to 0830 Corruption, not further defined.

0831 Bribery involving a government official

Bribery is defined as the offering, giving, or accepting of a bribe. A government official refers to any person who holds specific powers or responsibilities due to their employment or election within federal, national, state, territory, or local government, where this power or responsibility is relevant to the offering, giving, or receiving of the bribe. The bribe may be money, a gift, or act of financial or personal value.

Inclusions:

- Accept or offer monetary or non-monetary bribes, involving a government official
- Breach anti-corruption legislation relating to public servants and elected officials
- Bribery involving a foreign public official
- Other bribery involving a government official

Exclusions:

- Bribe or dishonestly attempt to influence a witness, juror, or justice official – coded to 1421 Subvert the course of justice
- Bribery that does not involve a government official on duty or exercising their authority – coded to 0832 Bribery (excluding government officials)
- Fail to disclose conflicts of interest – coded to 0839 Corruption, nec
- Misuse of a position of power in government for private gain – coded to 0839 Corruption, nec

0832 Bribery (excluding government officials)

Bribery is defined as the offering, giving, or accepting of a bribe. Offences in this group do not include a government official, as defined in 0831 Bribery involving a government official. The bribe may be money, a gift, or act of financial or personal value.

Inclusions:

- Bribery involving a foreign or international business
- Bribery involving a person employed by or elected to government who is acting as a private citizen
- Bribery involving compliance officers who are not government officials
- Bribery involving lending managers or estate agents
- Bribery involving private procurement personnel
- Commercial bribery
- Secret commissions
- Other bribery not including a government official

Exclusions:

- Bribe or dishonestly attempt to influence a witness, juror, or justice official – coded to 1421 Subvert the course of justice
- Bribery that involves a government official – coded to 0831 Bribery involving a government official
- Coercion using blackmail or other extortion – coded to 0520 Blackmail or other extortion

0839 Corruption, nec

This group includes other corruption offences not elsewhere classified.

Inclusions:

- Fail to disclose conflicts of interest
- Improper use of a position of power not elsewhere classified
- Unlawful infiltration
- Other corruption offences not elsewhere classified

Exclusions:

- Embezzlement of money or property – coded to 0823 Embezzlement

Subdivision

084 Unlawful access to information or systems

Description

Unlawful access to information or systems includes unauthorised access, modification or impairment of data and electronic communication.

0841 Privacy offences

Privacy offences are actions that invade the privacy of a person or organisation, where the offence does not involve fraud, property damage, a sexual offence, stalking, or threat to government security. The invasion of privacy may occur through unlawful access to a digital system, a physical space, or use of technologies that capture or transmit data.

Inclusions:

- Breach legislation related to unsolicited "spam" messages
- Breach regulatory privacy offences, such as relating to storage of personal information
- Misuse of personal data, including in a person's place of employment, such as unlawful use of records by workers in healthcare or justice organisations
- Personal data leaks or spillages
- Theft of personal data by any means and in any format, including cybersecurity offences
- Trading in personal information
- Unlawful use of artificial intelligence to breach privacy
- Unlawfully taking, opening, or reading someone else's mail
- Use of drones or other technologies for unlawful recording or filming of people or places, excluding stalking and voyeurism offences
- Other privacy offences

Exclusions:

- Enter or remain on land or premises without consent of owner – coded to 1221 Trespass
- Corporate or industrial espionage – coded to 0891 Intellectual property offences
- Espionage against government – coded to 1519 Offences against national security, nec

- Modifying or deleting data, information, or files – coded to 0842 Unlawful harm to a digital system
- Voyeurism and “peeping” offences – coded to 0399 Sexual offences, nec
- Stalking behaviours such as unlawfully tracking a person – coded to 0441 Stalking

0842 Unlawful harm to a digital system

A digital or computer system includes any technologies that use, create, or transmit data in any form. It includes individual and networked devices, computers, utilities, communications infrastructure, and other technologies. Harm includes any action that disrupts, damages, distorts, or otherwise has a negative impact on the system, use of the system, or any data within the system.

Inclusions:

- Create or intentionally distribute malware, other than for financial gain
- Damage or destroy data
- Denial of service attacks
- Hack digitally connected utilities with intent to disrupt
- Hacking offences, excluding theft or use of personal data
- Unauthorised modification or impairment of data held in computer or electronic communication
- Unlawful harm to a digital system not elsewhere classified
- Unlawful modification or destruction of data, information, or files

Exclusions:

- Breach legislation related to unsolicited “spam” messages, not involving hacking – coded to 0841 Privacy offences
- Creation or use of ransomware for extortion – coded to 0520 Blackmail or other extortion
- Creation or use of software as part of an online scam – coded to 0812 Online scams
- Physical damage to hardware – coded to the relevant groups within 11 Property damage
- Robbery or theft of hardware – coded to the relevant groups within 051 Robbery, 06 Burglary, and 07 Theft
- Theft of intellectual property – coded to 0891 Intellectual property offences
- Theft or misuse of personal data – coded to 0841 Privacy offences

0849 Unlawful access to information or systems, nec

This group is for other offences involving unlawful access to information or systems that are not elsewhere classified.

Inclusions:

- Other unlawful access to information or systems not elsewhere classified

Exclusions:

- Access child abuse material – coded to 0342 Possess or access child abuse material
- Use of digital networks for government espionage – coded to 1519 Offences against national security, nec

Subdivision

089 Other fraud and related offences

Description

This subdivision includes fraud offences that are not captured elsewhere in the division.

0891 Intellectual property offences

Intellectual property offences include any theft or misuse of intellectual property including documents, media, or other products protected under intellectual property legislation, such as copyright, patents, or trademarks.

Inclusions:

- Corporate or industrial espionage not involving physical removal of property
- Falsely claim ownership of intellectual property rights
- Hacking offences related to access or use of intellectual property
- Import or distribute products that infringe intellectual property rights
- Photocopy, photograph, or film to unlawfully access or use intellectual property
- Piracy of music, videos, software, or other digital products
- Theft or unlawful use of non-fungible tokens (NFTs)
- Unauthorised use or reproduction of intellectual property for commercial gain
- Unlawful performance, playing, exhibition or communication of intellectual property

- Unlawfully circumvent, or facilitate the circumvention of, measures used to restrict access to, or use of, intellectual property (including technological protection measures)
- Other theft of intellectual property

Exclusions:

- Identity theft – coded to 0811 Identity theft
- Unlawful theft or use of personal data – coded to 0841 Privacy offences

0892 Defamation

Defamation is the act of communicating false statements about a person, organisation, place, or other entity that results in damage to its reputation. It includes slander (defamation through speech), and libel (defamation through printed communication).

Inclusions:

- Causing reputational harm
- Publishing of defamatory material
- Slander
- Other defamation

Exclusions:

- Capture or distribute an intimate image without consent – coded to 0350 Intimate image offences
- Edit sexual photos or videos to include a person's image, including "deepfake pornography" – coded to 0350 Intimate image offences
- Extortion including blackmail or sexual extortion – coded to 0520 Blackmail or other extortion
- Sexual extortion of a child – coded to 0341 Produce or distribute child abuse material

0899 Fraud and related offences, nec

This group includes other fraud and related offences not elsewhere classified.

Inclusions:

- Collect funds or property for an unregistered charity
- Interfere with boundary marks
- International money laundering
- Unexplained wealth not elsewhere classified
- Other fraud and related offences not elsewhere classified

Exclusions:

- Deception as part of court proceedings – coded to 1421 Subvert the course of justice